

Georgette Fleischer
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Attn: Hon. Philip Bentley
Clerk's Office
U.S. Bankruptcy Court
1 Bowling Green
New York, NY 10004

December 23, 2024

Re: Objection to Chapter 11 Case No. 23-10678, In re Zhang Medical, P.C., Debtor

Dear Judge Bentley,

I will not burden you with the details of how I and my two young daughters have been irredeemably harmed by Debtor Zhang Medical, P.C., d/b/a New Hope Fertility Center. But I can state, based on the civil cases of a number of other former patient-plaintiffs, that this debtor has left a trail of human destruction and heartbreak in its wake, which is the reason I am pursuing through NYS DOH, Office of Professional Discipline, having owner/director John J. Zhang disburdened of his medical license, and the reason I voted to REJECT the Chapter 11 plan: I would prefer to see this self-serving, rapacious Debtor fold altogether, so as not to perpetrate further harm to members of the public made vulnerable just they want more than anything to start or expand their families.

I believe that the Debtor and/or its attorneys set up the Ballot for Accepting or Rejecting the Second Amended Plan deliberately to disenfranchise me and others similarly situated.

I received the ballot in the mail around Thanksgiving. It took me a little while to take it in and decide how I wanted to vote, and to make an informed calculation of my Class 3(a) Claim (minus legal fees and costs). I mailed the ballot by option (a), first class mail; anticipating that there could likely be foul play on the part of the Debtor, whose specialty it is, I sent the ballot by certified mail. (Please see attachment.) I mailed my ballot on Friday, December 13, 2024 from the Cooper Square Post Office, 10 days before the ballot was due. As you can see, the estimated delivery date was Mon 12/16/2024, a full week before it was due, with no intervening holiday/USPS closures in the interval from mailing to due date.

Beginning on December 15, 2024, at 09:41 a.m., my ballot was "in transit" at the Garden City, Ny Distribution Center. Yesterday, December 22nd, a week later, the USPS tracking system indicated something different: Your package will arrive later than expected/In Transit to Next Facility, Arriving Late/December 19, 2024. A day later, around noon today, the USPS tracking system reverts to the earlier message, claiming only that my ballot had arrived on December 15, 09:41 a.m. at Garden City, NY, **not** that it had moved to "the next facility." Almost a week ago, I left voice mail for USPS at the number Tracking lists for customers who have questions about delivery. No one has returned my call.

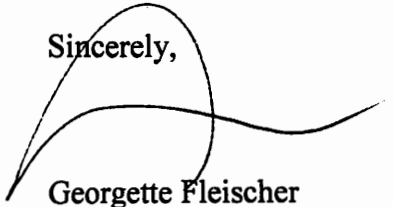


I suspect that, at the least, the Debtor's attorneys designed the parameters of the Ballot in such a way that they know mail will be caught in transit and not delivered on time. Yes, the ballot claims that "[t]he method of delivery of Ballots is at the election and risk of each holder of a Claim." Yes, it states that "it is recommended, though not required, that such holders use an overnight or hand delivery service." Only the original ballot is accepted. (Voting Instructions, ¶4) Once I sent that original ballot by certified mail, which has never failed me before, there was no way for me to salvage its being stuck at the Garden City, Ny Distribution Center, or "[i]n Transit to Next Facility," only to be returned, inexplicably, to the Garden City, Ny Distribution Center.

I have no confidence whatsoever that I was given a good faith opportunity to vote on this plan.

I understand from Courtroom Deputy Greg White that I can attend the hearing scheduled for January 15, 2025 at 1 p.m. in Room 601. I would be most grateful if you would allow me to register my strong objection to this scofflaw Debtor being allowed to continue his exploitive clinic, whose purpose is to fund his nefarious unauthorized experiments through his biotech that shares the Debtor's premises, Darwin Life, Inc.

Sincerely,

A handwritten signature in black ink, appearing to read "Georgette Fleischer". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that extends to the right.

Georgette Fleischer

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Sent To

Ruskin Moscu Faltischek P.C.

Street and Apt. No., or PO Box No.

1425 R.R. Plaza - 15th Fl. Sheryl P.

City, State, ZIP+4[®] Uniondale, NY 11556-1111

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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12/13/2024

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9589 0710 5270 1790 1823 86			
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re

Chapter 11

ZHANG MEDICAL, P.C., d/b/a
NEW HOPE FERTILITY CENTER

Case No. 23-10678 (PB)

Debtor.
-----X

**BALLOT FOR ACCEPTING OR REJECTING
SECOND AMENDED PLAN OF REORGANIZATION OF
ZHANG MEDICAL P.C., D/B/A NEW HOPE FERTILITY CENTER
UNDER CHAPTER 11 OF THE BANKRUPTCY CODE**

On November 14, 2024, Zhang Medical P.C., d/b/a New Hope Fertility Center (the “Debtor”)¹, the above-captioned debtor and debtor-in-possession, filed the *Second Amended Plan of Reorganization of Zhang Medical P.C., d/b/a New Hope Fertility Center Under Chapter 11 of the Bankruptcy Code* (ECF Doc. No. 443) (the “Plan”) and the *Second Amended Disclosure Statement for Second Amended Plan of Reorganization of Zhang Medical P.C., d/b/a New Hope Fertility Center Under Chapter 11 of the Bankruptcy Code* (ECF Doc. No. 444) and related exhibits (the “Disclosure Statement”). On November 20, 2024, the Court entered an Order (ECF Doc. No. 449) (the “Disclosure Statement Order”), approving the adequacy of the Disclosure Statement on an interim basis. The Court’s interim approval of the Disclosure Statement does not indicate approval of the Plan by the Court. At the Confirmation Hearing, the Debtor will seek final approval of the adequacy of the Disclosure Statement as well as confirmation of the Plan.

The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. If you do not have a Disclosure Statement, you may obtain a copy from Ruskin Moscou Faltischek, P.C., co-counsel to the Debtor, 1425 RXR Plaza, East Tower, 15th Floor, Uniondale, New York 11556-1425, Tel: (516) 663-6600, Fax: (516) 663-6601 (Attn: Sheryl P. Giugliano).

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and the classification and treatment of your Claim under the Plan.

If your Ballot is not received by Ruskin Moscou Faltischek, P.C., 1425 RXR Plaza, East Tower, 15th Floor, Uniondale, New York 11556-1425 (Attn: Sheryl P. Giugliano), either (a) by first class mail, (b) by overnight mail service, or (c) by personal delivery so that, in each case, it is actually received no later than December 23, 2024 at 4:00 p.m. (ET) (the “Voting Deadline”), your vote will not count as either an acceptance or rejection of the Plan.

¹ Capitalized terms not otherwise defined herein shall have the meanings set forth in the Plan.

Delivery of a Ballot by facsimile, e-mail or any other electronic means will not be accepted or counted.

If the Plan is confirmed by the Court, it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN

Item 1. Amount of Claim²

The undersigned hereby certifies that as of the Record Date, November 19, 2024, the undersigned was the holder of Class 3 (a) Claim in the unpaid amount set forth below (insert amount in box below):

\$ 614,654

Item 2. Vote on the Plan

The undersigned holder of the Claim set forth in Item 1 votes to (please check one):

<u>ACCEPT THE PLAN</u> <input type="checkbox"/>	<u>REJECT THE PLAN</u> <input checked="" type="checkbox"/>
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Any Ballot that is executed by the holder of a Claim that indicates both an acceptance and a rejection of the Plan will be counted as an acceptance of the Plan.

Dated: 12/13/2024

Print or Type Name: Georgette Fleischer

Signature: [Handwritten Signature]

RETURN THIS BALLOT TO:

Ruskin Moscou Faltischek, P.C.
1425 RXR Plaza
East Tower, 15th Floor
Uniondale, New York 11556-1425
Attn: Sheryl P. Giugliano
Michael S. Amato

Title: _____
(if corporation or partnership)

Name of Corporation: _____

Address: 19 Cleveland Place, apt. 4A
New York, NY 10012

² For voting purposes only, subject to tabulation rules.

VOTING INSTRUCTIONS

1. All capitalized terms used in the Ballot or Voting Instructions but not otherwise defined therein shall have the meaning ascribed to them in the Plan.

2. The Plan can be confirmed by the Court, and therefore made binding on you, if it is accepted by the holders of two-thirds in amount and more than one-half in number of Claims in each Impaired Class voting on the Plan. Please review the Disclosure Statement for more information.

3. To ensure that your vote is counted, you must (i) complete the Ballot, (ii) indicate your decision either to accept or reject the Plan, and (iii) sign and return the Ballot to the address set forth herein on or before the Voting Deadline. Your Ballot must be received by the Voting Deadline.

4. If a Ballot is received after the Voting Deadline or indicates that it is an acceptance **and** a rejection, it will not be counted. The method of delivery of Ballots is at the election **and risk** of each holder of a Claim. Except as otherwise provided herein, such delivery will be deemed made only when the original executed Ballot is actually received by Ruskin Moscou Faltischek, P.C., 1425 RXR Plaza, East Tower, 15th Floor, Uniondale, New York 11556-1425 (Attn: Sheryl P. Giugliano), on or before the Voting Deadline. Instead of effecting delivery by mail, it is recommended, though not required, that such holders use an overnight or hand delivery service. In all cases, sufficient time should be allowed to assure timely delivery. Delivery of a Ballot by facsimile, e-mail or any other electronic means will not be accepted. x

5. If multiple Ballots are received from a holder of Claims with respect to the same Claims prior to the Voting Deadline, the last Ballot timely received will supersede and revoke any earlier received Ballot.

6. This Ballot does not constitute, and shall not be deemed to be, a Proof of Claim or Equity Interest or an assertion or admission of a Claim or Equity Interest.

7. Please be sure to sign and date your Ballot. If you are completing the Ballot on behalf of an entity, indicate your relationship with such entity and the capacity in which you are signing. In addition, please provide your name and mailing address if different from that set forth on the attached mailing label or, if no such mailing label is attached, on the Ballot.

8. **THE DEBTOR EXPRESSLY RESERVES THE RIGHT TO OBJECT AT A LATER DATE TO THE AMOUNT ALLEGED TO BE DUE TO THE CREDITOR BY THE DEBTOR OR THE INDEBTEDNESS ASSERTED IN A TIMELY FILED PROOF OF CLAIM.**

PLEASE RETURN YOUR BALLOT PROMPTLY!